

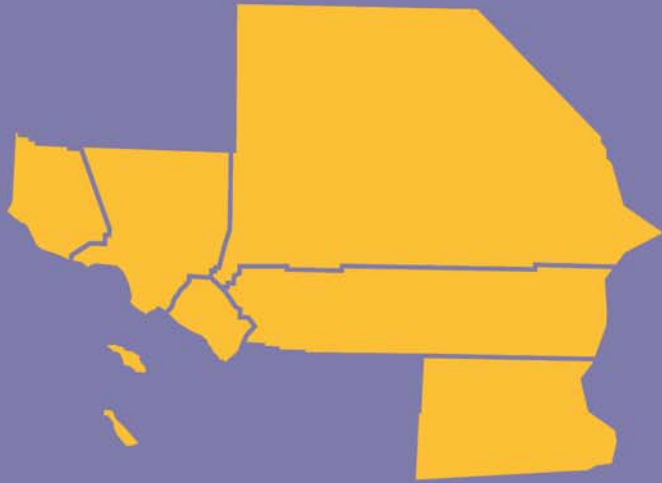
SCAG

2005 Legislative Program

Adopted by the Regional Council

January 2005





SOUTHERN CALIFORNIA
ASSOCIATION of GOVERNMENTS

*Resolving
Regional Challenges*

Southern California
Association of Governments
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MISSION STATEMENT

REGIONAL COUNCIL MEMBERS

Leadership

Vision

Progress

Leadership, **vision** and **progress** which promote economic growth, personal well-being, and livable communities for all Southern Californians.

The Association will accomplish this Mission by:

- Developing long-range regional plans and strategies that provide for efficient movement of people, goods and information; enhance economic growth and international trade; and improve the environment and quality of life.
- Providing quality information services and analysis for the region.
- Using an inclusive decision-making process that resolves conflicts and encourages trust.
- Creating an educational and work environment that cultivates creativity, initiative, and opportunity.

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Rev. 2.23.05

LEGISLATIVE PROGRAM

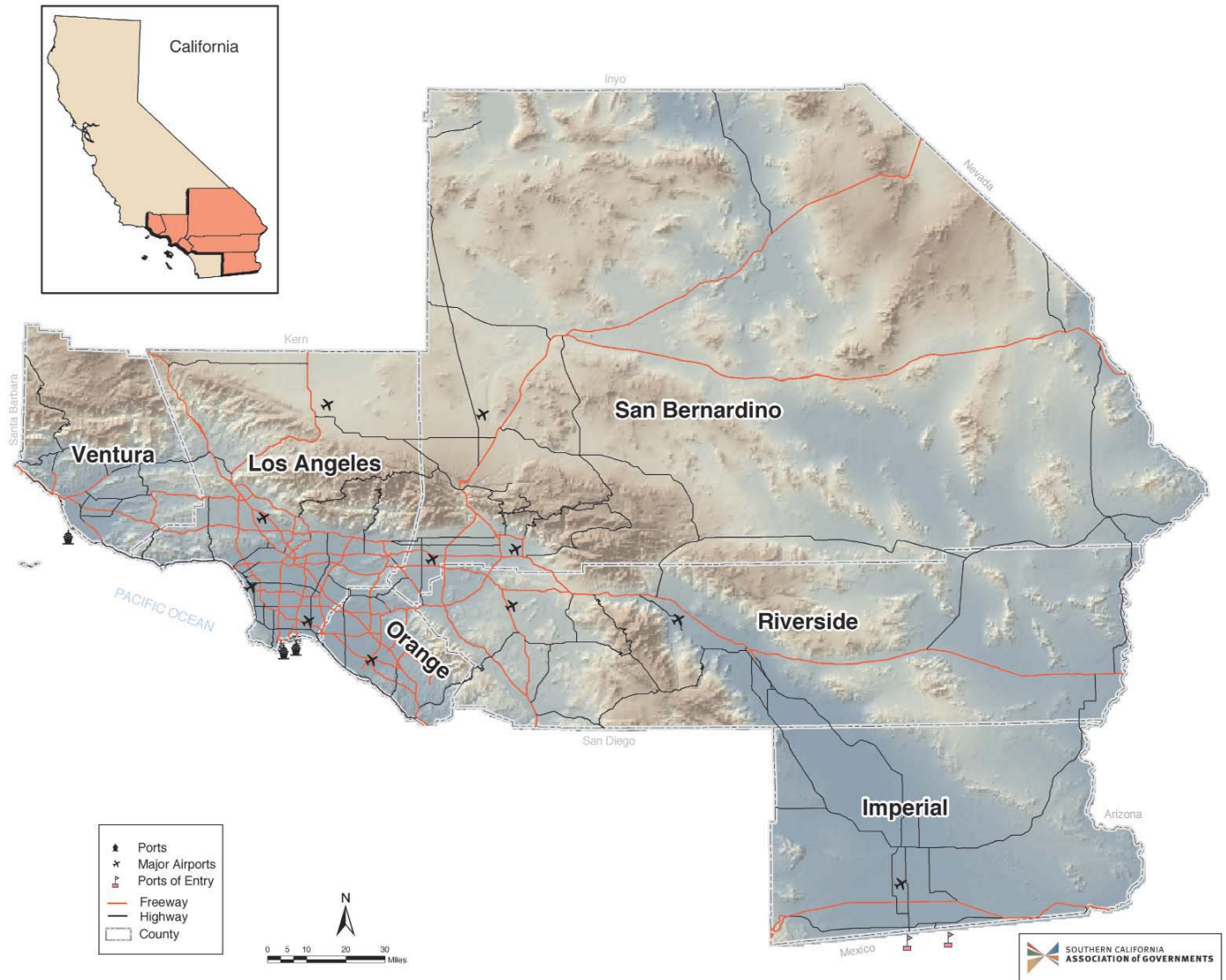
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THE SCAG REGION



SCAG is made up of six counties which are divided into 14 subregions.

Each year, the Regional Council adopts a state and federal legislative program to direct the legislative activities of the Southern California Association of Governments (SCAG). The 2005 Legislative Program, which contains highlights from 2004 and additional explanatory materials, will guide SCAG's legislative activities in the coming year.

As in past years, SCAG legislative staff will continue to take action on Regional Council policies where they exist and will communicate Regional Council positions to legislators, administrators and others. SCAG legislative staff will also undertake new initiatives as they arise at the direction of the Regional Council.

At the core of the 2005 Legislative Program are SCAG's top legislative priorities. Because the Transportation Equity Act for the Twenty-First Century (TEA-21), the federal surface transportation program, has been extended to May 31, 2005, the reauthorization of TEA-21 remains SCAG's federal priority. SCAG's advocacy efforts will focus on enhancing Southern California's funding opportunities in the reauthorization. On a federal level, SCAG will also work to improve the flow of Consolidated Planning Grant (CPG) funds, on which SCAG depends for its statutorily required metropolitan planning.

On the state level, SCAG's legislative priority will center on a collaboration with Business, Transportation and Housing Secretary Sunne Wright McPeak and housing stakeholders like the League of California Cities and the California State Association of Counties (CSAC) to redefine the local and regional responsibilities in implementing state housing goals.

In the area of transportation, SCAG will advocate a constitutional amendment to protect Proposition 42 revenues from reallocation to the state's General Fund and design-build and design-sequencing legislation to expedite project delivery.

The 2005 Legislative Program will also further the Compass Implementation Framework, which was approved by the Regional Council in June 2004. This framework, or 2% Strategy, is guided by four key principles—mobility, livability, prosperity and sustainability—and addresses the challenges associated with future growth in the SCAG region. Because the 2% Strategy is interdisciplinary, its ideas are incorporated throughout the transportation, housing, growth and land use, habitat and open space, and sustainability sections of the 2005 Legislative Program and is marked with a 2% symbol.

Upon its adoption by the Regional Council, SCAG's legislative staff will implement the 2005 Legislative Program. The timeframe for implementation is the 2005 calendar year. The 2005 Legislative Program is outlined following the 2004 program highlights.

2004 PROGRAM HIGHLIGHTS

FEDERAL ISSUES

SCAG's top federal legislative priority during 2004 was the reauthorization* of TEA-21. Disagreement among the Senate, the House, and the Administration over the surface transportation program's total funding level slowed the progress on reauthorization, and TEA-21 was extended by continuing resolution (HR 5183) to May 31, 2005.

As debate on the reauthorization progressed, SCAG continued to lead and further develop the Southern California Consensus Programs for both the reauthorization and the appropriations measures. SCAG initiated the reauthorization component of the Consensus Program in 2003 and the appropriations component in 2004.

Following the success of the group's inaugural visit in 2003, SCAG lead a delegation comprised of SCAG Regional Council members, the chairs and chief executive officers of the county transportation commissions**, Imperial County and Metrolink on a trip to Washington, D.C. in February 2004 to advocate the reauthorization Consensus Program to key congressional and executive decision makers. The delegation conveyed a unified message about the region's transportation needs. A similar effort was undertaken in February 2005.

STATE ISSUES

SCAG's state legislative priority in 2004 was the passage of AB 2158 (Lowenthal) and AB 2348 (Mullin) relating to housing element reform. SCAG had participated extensively in the housing element working group that produced the bills. Both AB 2158 and AB 2348 passed the Legislature and were signed by Governor Schwarzenegger.

SCAG also supported constitutional amendments to protect Proposition 42 revenues used for transportation purposes. Legislative efforts to safeguard Prop 42 funds were unsuccessful and are expected to re-emerge in the 2005 legislative session.

* An authorization or reauthorization provides the statutory authority to expend federal funds on a project or program. An appropriation is the annual expenditure of federal funds for the authorized purpose.

** The Los Angeles County Metropolitan Transportation Authority (LACMTA); the Orange County Transportation Authority (OCTA); the Riverside County Transportation Commission (RCTC); the San Bernardino Associated Governments (SanBAG); and the Ventura County Transportation Commission (VCTC).

2004 PROGRAM HIGHLIGHTS

REGIONAL TRANSPORTATION PLAN (RTP) AND REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM (RTIP)

The Regional Council adopted the 2004 RTP in April and the 2004 RTIP in July of 2004. Both the RTP and the RTIP call for legislative steps to be taken toward facilitating the implementation of transportation projects and programs. To that end, SCAG assisted the California Foundation on the Environment and the Economy (CFEE) in the development of state legislation to “firewall” Proposition 42 revenues derived from sales taxes on gasoline and to encourage expedited project delivery in the form of design-build and design sequencing.

Federally, SCAG advocated the inclusion of language in the reauthorization on the expanded role of the Transportation Infrastructure Finance and Innovation Act (TIFIA) in predeployment planning. It also advocated proposals to use tax credit bonds and tax credit equity to encourage investment in larger transportation projects. Throughout the year, SCAG’s legislative staff worked to create an awareness of the funding issues in the RTP and RTIP and will continue to do so in 2005.



2005 SCAG LEGISLATIVE PROGRAM

The SCAG 2005 Legislative Program describes Regional Council federal and state legislative and administrative priorities that SCAG will pursue during the coming year. In preparing the program, SCAG legislative staff sought the input of our state and regional planning partners like the California Association of Councils of Government (CALCOG) and the county transportation commissions.

Throughout this section, issues are categorized by subject matter (e.g., Housing, Air Quality) and are grouped into one of three subcategories: Advocacy, Monitoring, or Development.

Issues subcategorized under Advocacy are of foremost concern to the Regional Council and will be advocated by SCAG. Issues subcategorized under Monitoring are of interest to the Regional Council and will be tracked by SCAG; policy committees and the Regional Council will be alerted to proposed changes in those areas. Issues included under the subcategory Development are those in which the Regional Council or its policy committees have asked SCAG staff to further develop ideas, to begin or continue efforts, or to provide more information. They are inventoried here for the Regional Council's information and should not be read as requests for federal or state legislative or administrative action.

SCAG

ROLES AND LEADERSHIP

Working in coordination with the county transportation commissions, Metrolink, and local transportation agencies, SCAG will pursue the following advocacy goals.

Advocacy

- Provide regional leadership in seeking federal and state funding for projects and programs that implement SCAG's adopted 2004 RTP and 2004 RTIP and in advocating for projects needed to maintain air quality conformity in the SCAG region.
- Coordinate advocacy efforts to advance the Southern California Consensus reauthorization and appropriations programs and continue consensus building among local transportation commissions, cities, counties and subregions.



2005 SCAG LEGISLATIVE PROGRAM

- Advocate federal legislation that increases funding for Metropolitan Planning Organizations (MPOs) commensurate with their increased responsibilities.
- Advocate state legislation that increases funding for Regional Transportation Planning Agencies (RTPAs).
- Advocate a stronger role for regions and MPOs in planning for America's global economic competitiveness.

Development

- With the interstate highway system nearing completion, promote a national discussion about the role of the federal government in transportation planning and funding to ensure effective participation by the United States in the global economy.

Monitoring

- Monitor federal legislation for proposals that eliminate, reduce funding for, or in any other way weaken Metropolitan Planning Organizations (MPOs).
- Monitor state legislation for proposals that eliminate, reduce funding for, or in any other way weaken Regional Transportation Planning Agencies (RTPAs).

HOMELAND SECURITY

Development

- Serve as a forum where operations and plans can be discussed and coordinated.
- In coordination with local agencies and other stakeholders, engage as an MPO in a more active role in security and disaster planning.

2005 SCAG LEGISLATIVE PROGRAM

TRANSPORTATION

REAUTHORIZATION OF TEA-21

Advocacy

- Advocate the inclusion in the reauthorization of projects and programs in the adopted 2004 RTP and the adopted 2004 RTIP.
- Advocate the inclusion in the reauthorization of the projects contained in the Southern California Consensus Program.
- Support ongoing national efforts to adequately fund congestion mitigation programs, goods movement projects and programs, and safety infrastructure improvements in the reauthorization.
- Support efforts to achieve a 95% minimum guarantee rate of return for states.

Development

- Continue Southern California Consensus Program consensus-building meetings, visits, and outreach with Members of Congress, state and federal administration officials, the county transportation commissions, cities, counties, subregional organizations and key stakeholders.

APPROPRIATIONS

Advocacy

- Advocate congressional support for SCAG's FY 2006 appropriations requests as approved by the Regional council.
- Advocate appropriations for projects contained in the Southern California Consensus Program.
- Support earmarks or discretionary funding applications of jurisdictions within the SCAG region consistent with the Southern California Consensus Program, the adopted 2004 RTP, the adopted 2004 RTIP and SCAG policies.

2005 SCAG LEGISLATIVE PROGRAM

MAGLEV

Advocacy

- Seek the inclusion of predeployment planning and environmental review funding for the California Maglev Deployment Program in the reauthorization.
- Seek FY 2006 appropriations to continue predeployment planning and environmental review.
- Seek federal, state and local funds and policy maker and community support to complete predeployment planning and environmental review for the Initial Operating System (IOS) stated for completion by 2018.

AVIATION

Advocacy

- Support legislation to promote and implement a decentralized aviation system including interconnecting high-speed ground transportation.

Development

- Encourage a dialogue between community, government, and industry stakeholders about noise mitigation and environmental justice, which may include lowering the Community Noise Equivalent Level (CNEL) from 65 CNEL to 60 CNEL, soundproofing, nighttime curfews or other noise mitigation topics.



2005 SCAG LEGISLATIVE PROGRAM

TRANSPORTATION FINANCING

Advocacy

- Advocate a constitutional amendment to protect Proposition 42 revenues from reallocation to the state's General Fund.
- Advocate addressing the allocation of the state's transportation funds to ensure an equitable distribution throughout the state.
- Support design-build and design-sequencing procurement procedures to expedite project delivery.
- Support local ballot initiatives to fund local transportation projects with local sales tax measures.
- Support legislation that promotes the use of public/private partnerships and other innovative financing mechanisms.

Development

- Continue face-to-face discussions with state and federal legislators from the region about Southern California's long-term transportation requirements and the funding options needed to address these requirements.
- Develop a package of revenue mechanisms and strategies to finance major regional projects contained in the adopted 2004 RTP, including proposals to increase transportation funding through user fees and sales taxes on motor vehicle fuels and by adjusting the fuel excise tax rate to maintain historical purchasing power.
- Develop innovative financing proposals such as tax credit bonds, tax credit equity, tax-exempt bonds, TIFIA grants and TIFIA loans repaid with project-generated revenues.
- Expand consensus building and outreach efforts to the general public to educate regional residents about the unmet cost of the adopted 2004 RTP.
- Evaluate the merits of a regional gas tax/user fee measure and the institutional framework necessary to implement and manage it.



ENVIRONMENTAL STREAMLINING

Development

- Develop the concept of streamlining the environmental documentation process for interregional projects.
- Build federal, state and local stakeholder support, including public and private interests, for environmental streamlining and a media and public outreach campaign.
- Develop the concept within the California Environmental Quality Act (CEQA) of shifting the burden of proof to opponents of projects and programs located in 2% Strategy areas ^{2%}.
- Develop the concept of streamlining or simplifying CEQA.

GOODS MOVEMENT

Advocacy

- Support efforts of the West Coast Corridor Coalition to improve goods movement and reduce congestion along the I-5 from Vancouver, B.C. to Ensenada, Mexico.
- Urge the state and federal government to take action to limit the mobile source emissions arising from goods movement.
- Support regional efforts underway by county transportation agencies that develop goods movement projects through the use of market-neutral financing concepts including user fees and other revenue generating mechanisms to service debt instruments.

Monitoring

- Monitor federal government actions improving the safety of foreign trucks traveling on California roads as the result of the North American Free Trade Agreement (NAFTA).

Development

- With the participation and input of the county transportation commissions, Metrolink, and local agencies, develop the concept of user-supported dedicated facilities that offer a viable and potentially self-financing solution for mitigating congestion, reduce mobile source emissions arising from goods movement in Southern California, and ensure the safe and efficient movement of goods essential to the nation's economy.

2005 SCAG LEGISLATIVE PROGRAM

SOUTHWEST COMPACT

Advocacy

- Advocate legislation that corresponds with SCAG's ongoing efforts to develop the Southwest Passage, a multi-state goods movement trade corridor along the I-10, and the Southwest Compact, a coalition of states sharing goods movement and economic development interests.

COMMUNITY, ECONOMIC AND HUMAN DEVELOPMENT, HOUSING

HOUSING

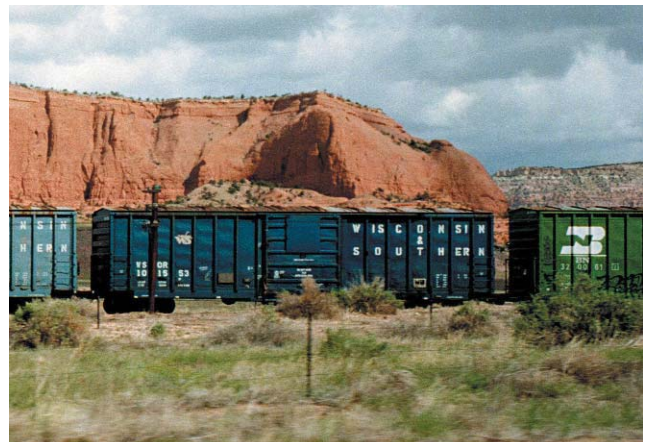
Advocacy

- Working with the Schwarzenegger Administration, seek a resolution to the cost reimbursement issues concerning the Regional Housing Needs Assessment (RHNA) mandate at the regional and subregional levels.
- Working with Secretary Sunne Wright McPeak and housing stakeholders like the League of California Cities and CSAC, develop and support legislation to redefine the local and regional responsibilities in implementing state housing goals.
- Support legislative proposals to promote an increase in and the equitable distribution of affordable housing throughout the state and region.
- Support jobs/housing balance incentive programs including the Interregional Partnership and urge the identification of permanent funding ^{2%}.

GROWTH AND LAND USE

Advocacy

- Support federal and state funding initiatives designed to promote mixed-use and multi-modal development ^{2%}.



2005 SCAG LEGISLATIVE PROGRAM

Development

- Participate in the development of legislation related to the jobs-housing balance including, but not limited to, CALCOG growth policies, construction defect litigation and water availability ^{2%}.
- Encourage cities and counties to adopt land use policies that help the SCAG region achieve air quality conformity and transportation system performance ^{2%}.

LOCAL FINANCE

Monitoring

- Via CALCOG, CSAC, the League of Cities and other organizations, monitor legislation pertaining to local finance, including bills and constitutional amendments regarding local sales taxes, property taxes, and gaming fees.

ENERGY AND ENVIRONMENT

AIR QUALITY

Advocacy

- Advocate increased funding for improving air quality in the new non-attainment areas for the 8-hour ozone and PM2.5 standards in the CMAQ Program.
- Support increased state and federal funding for air quality programs that use incentives to accelerate private and public fleet turn-over to help reduce total regional emissions from on-road mobile sources.
- Support state and federal programs that incentivize cost-effective, market-based approaches that promote air-quality beneficial urban form, including incentive programs to encourage pedestrian/bike-friendly redevelopment projects that will help reduce vehicle miles traveled, congestion, and associated emissions ^{2%}.
- Support state and federal programs that fund outreach, education, and incentive programs to encourage behavioral change needed to help reduce vehicle miles traveled, congestion, and associated emissions.
- Support extending the transportation air quality conformity clock for non-attainment areas from the current three-year RTP cycle to a four-year RTP cycle and that the four-year requirement will begin 2004-2008 covering existing RTP and every four years thereafter.
- Advocate the state and federal government to take action to reduce mobile source emissions under their jurisdictions or to delegate authority over these mobile sources to local governments.

2005 SCAG LEGISLATIVE PROGRAM

Monitoring

- Monitor air quality conformity issues affecting the SCAG region.
- Monitor legislation or regulations pertaining to power plants located on the Mexican side of the U.S./Mexico border and to their negative effect on air quality in the SCAG region.

ENERGY

Advocacy

- Support legislation that provides more flexibility in directing “public goods charge-based energy efficiency funding” to local and regional governments.

Monitoring

- Track energy legislation relating to the formation, aggregation, and siting of utilities, energy efficient building standards, and renewable energy resources.

Development

- Encourage state efforts to develop energy goals and coordinate local initiatives to provide reliable, secure and safe energy at the lowest possible cost.
- Encourage efforts by the federal, state and local governments of the United States and Mexico to formulate an agreement establishing common environmental standards for the US/Mexico border.
- Encourage the installation and maintenance of California Best Available Control Technologies (BACT) on power plants in neighboring states and on the Mexican side of the US/Mexico border.

HABITAT AND OPEN SPACE

Advocacy

- Advocate market-based, incentive approaches to habitat management at the urban-rural interface, such as easement rights acquisition.



2005 SCAG LEGISLATIVE PROGRAM

Monitoring

- Monitor state and federal legislation that affects the management of wilderness habitat, urban habitat, and recreational open space.

Development

- Encourage the development of state and federal legislation that better integrates habitat conservation planning with regional transportation and land use development plans ^{2%}.
- Encourage the development of state legislation that supports the better integration of science into habitat and open space management.
- Encourage the development of state legislation that incentivizes the preservation of agricultural lands subject to urbanization pressures ^{2%}.

SUSTAINABILITY

Advocacy

- Support state legislation that promotes incorporation of an environmental justice in local and regional planning ^{2%}.
- Support state legislation that incentivizes the development of brownfield sites in urban areas ^{2%}.
- Support state legislation that incentivizes the adoption of green building standards ^{2%}.

Development

- Encourage the development of state and federal incentives to promote urban infill development, as proposed in the Compass Implementation Framework ^{2%}.

WASTE MANAGEMENT

Advocacy

- Support legislation that removes impediments to the adoption of transformation or conversion technologies that will help municipalities maintain or exceed their requirement to divert 50% of their solid waste away from landfills.

Monitoring

- Track state legislation that proposes changes to solid waste diversion mandates, establishes new mandates for solid waste management including electronic waste, or changes municipal recycling procedures.
- Track state legislation that proposes changes to the management and handling of hazardous waste.
- Track California Integrated Waste Management Board (CIWMB) regulatory actions, including issues regarding specific types of waste, alternative daily cover, tipping fees, and markets for recyclable materials.

2005 SCAG LEGISLATIVE PROGRAM

Development

- Encourage the development of state legislation and regulations to incentivize the deployment of innovative recycling and conversion technology projects.
- Encourage the development of state legislation that incentivizes the recycling and reuse of building demolition debris.

WATER

Advocacy

- Support legislation that encourages comprehensive planning and implementation of water quality and supply measures, including the creation and operation of local agency initiatives for improved management of regional water resources ^{2%}.

Monitoring

- Track amendments to Clean Water Act, particularly those involving stormwater and non-point source pollution.
- Track state legislation, regulatory action and pending litigation regarding the implementation of total maximum daily loads (TMDLs).
- Monitor developments in the Bay Delta and on the Colorado River to ensure that the quantity and quality of Southern California water supplies are appropriately protected.
- Track state legislation and regulatory action and litigation concerning regional water impairments and water supplies.

FINANCE

Advocacy

- Seek federal legislative and regulatory changes in the Consolidated Planning Grant reimbursement process to ensure payment to SCAG within 30 days of invoice.





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Legislative Protocol

LEGISLATIVE PROGRAM

- SCAG employs the services of contract lobbyists in Washington, DC and Sacramento.
- Contacts with the federal and state lobbyists are coordinated through the Manager of Government and Public Affairs.
- The lobbyists work with SCAG to implement the Legislative Program and to coordinate visits to Washington, DC and Sacramento by Regional Council Members for the purpose of meeting with elected and appointed officials of the executive and legislative branches of the federal and state government.
- The budget for Government Affairs advocacy activities is provided through General Fund revenues. Federal law prohibits the use of federal funds for lobbying purposes.
- Retainers and expenses for both the federal and state legislative advocates are contained within the FY 2004/05 Overall Work Program adopted by the Regional Council.
- SCAG's advocacy efforts are coordinated with the county transportation commissions, cities, counties and subregional organizations to ensure the maximum efficacy.

POLICY REVIEW AND ACTION

SCAG and its state and federal lobbyists operate according to the Legislative Program approved annually by the Regional Council.

- The Regional Council establishes SCAG's official policies on all legislative or regulatory matters.
- SCAG legislative staff shall communicate to legislators, administrators and others SCAG's positions on bills, constitutional amendments, and other matters when germane Regional Council policy exists.
- If no germane Regional Council policy exists or it is unclear whether an adopted policy is on-point, legislation and other matters shall be processed as follows:
 - ◆ If the legislation or other matter falls under the purview of a task force or sub committee and time permits, it shall be presented to the task force or sub committee first.
 - ◆ Legislation or other matters first heard in a task force or sub committee shall be referred to the appropriate policy committee for consideration. If no relevant task force or sub committee exists, the legislation or other matter shall be submitted to the appropriate policy committee.
 - ◆ Not less than one month after a policy committee has considered and recommended a position on legislation or other matters, the matter shall be brought to the Regional Council for adoption of a formal position.

APPENDIX A

LEGISLATIVE PROTOCOL

- ◆ Legislation shall be referred to more than one task force or sub committee and one committee at the direction of the Executive Committee.
- ◆ Certain matters may be referred directly to the Regional Council due to their critical nature or the time constraints of the federal or state legislative calendars.
- ◆ Certain matters may be brought to the Regional Council the same day they are considered by a policy committee or the Executive Committee acting in its capacity of Legislative Committee due to the constraints of the federal or state legislative calendars.
- ◆ Regional Council, policy committee, sub committee, and task force members desiring Regional Council action on legislative or other matters not directly contained within the Legislative Program shall direct their requests to the Executive Committee.
- ◆ If the Executive Committee approves the request, SCAG legislative staff shall process the legislative or other matter in the manner outlined above.
- Upon the adoption of a position by the Regional Council, SCAG legislative staff shall consult members of the Executive Committee (the SCAG President and the policy committee chairs) and determine the appropriate course of action to be taken.
- SCAG legislative staff shall present one of the following recommendations to Executive Committee members (a flow chart illustrating this protocol follows in Appendix B):
 - ◆ **For legislative or other matters contained within the Legislative Program or directly related to SCAG's statutory responsibilities:** In addition to position letters and legislative tracking and inter-action as described below, SCAG legislative staff shall, at the direction of the Executive Committee, coordinate advocacy visits to Sacramento or Washington, DC, for Regional Council members and/or SCAG management to meet with key policy makers and/or interested stakeholders and/or relevant grass roots organizations.
 - ◆ **For legislative or other matters not contained within the Legislative Program, but considered traditional SCAG issues:** In addition to a position letter to the author and legislative tracking by SCAG legislative staff and lobbyists, position letters shall be mailed to the appropriate legislative leadership, key legislators, legislative committees and executive branch agency officials. SCAG legislative staff and lobbyists shall interact with these persons to offer amendments, present testimony, fill information requests, or participate in working groups.

APPENDIX A LEGISLATIVE PROTOCOL

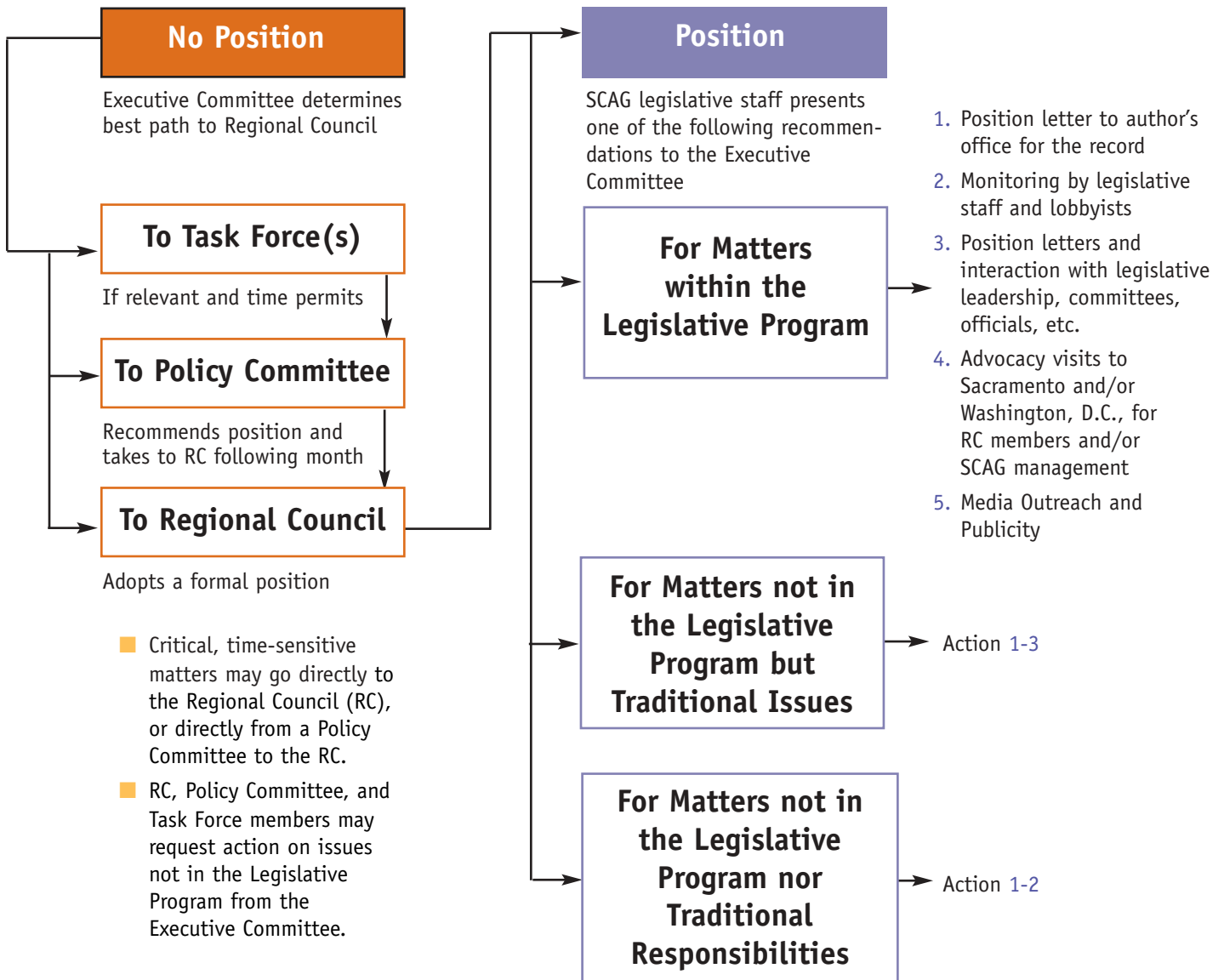
- ◆ **For legislative or other matters not contained in the Legislative Program, not traditionally considered SCAG issues, or not related to SCAG's statutory responsibilities:** A position letter shall be delivered to the author's office to be filed on record. SCAG legislative staff and lobbyists shall monitor the progress of the matter and alert the Regional Council to any changes detrimental to SCAG's interest.
- ◆ **Exceptions:** Upon the direction of the Regional Council or the Executive Director upon consultation with the President, or when a legislative or other matter is resolved and no further action is required, the above procedures may be waived, amended, or otherwise altered. SCAG legislative staff shall seek guidance and offer alternative recommendations in those cases.
- For legislative or other matters contained within the Legislative Program or directly related to SCAG's statutory responsibilities: In addition to position letters and legislative tracking and interaction as described below, SCAG legislative staff shall, at the direction of the Executive Committee, coordinate advocacy visits to Sacramento or Washington, D.C., for Regional Council members and/or SCAG management to meet with key policy makers and/or interested stakeholders and/or relevant grass-roots organizations.
- To facilitate the implementation of the Legislative Program, SCAG legislative staff shall coordinate workshops with policy committees early in the legislative calendar to review introduced bills and constitutional amendments and narrow SCAG's legislative focus.
- Throughout the remainder of the legislative session, SCAG legislative staff shall present legislative matrices to the policy committees. In preparing the matrices, the staff shall review measures being tracked by various organizations including those representing cities, counties, and councils of governments and transportation commissions. Staff shall also seek the recommendations of its Sacramento and Washington lobbyists and other sources in preparing the matrices.
- SCAG legislative staff shall also present a matrix to the Regional Council tracking bills and constitutional amendments upon which SCAG has taken a position or which SCAG sponsors.
- Legislative matrices shall be updated monthly when the Legislature is in session.

Legislative Protocol Flow Chart

APPENDIX B

STATE AND FEDERAL LEGISLATIVE PROTOCOL

The Regional Council establishes SCAG's official policies on all legislative and regulatory matters to the Regional Council (RC), or directly from a Policy Committee to the RC.



SCAG staff facilitates Legislative Program implementation with Policy Committee workshops and legislative matrices for Policy Committees and the Regional Council.

Glossary of Legislative Terms

APPENDIX C

GLOSSARY OF LEGISLATIVE TERMS

Act: A bill passed by the Legislature and approved by the Governor.

Adjournment Sine Die: Final adjournment of the Legislature; regular sessions of the Legislature are adjourned sine die at midnight on November 30 of each even-numbered year.

Amendment: Formal proposal to change the language of a bill after it has been introduced. Amendments must be submitted to Legislative Counsel for drafting.

Appropriation: The amount of money made available for expenditure by a specific entity from a specific source such as the General Fund, Environmental License Plate Fund, etc., and for a specific purpose.

Appropriations Limit: Established by Prop. 4 passed by voters in 1979, this is the maximum amount of tax proceeds that State or local government may appropriate in a fiscal year. The limit is adjusted annually but based on 1986-87 appropriations.

Blue Pencil (Line Item Veto): The Constitution grants the Governor "line item veto" authority to reduce or eliminate any item of appropriation from any bill including the budget bill.

Bond Bill (General Obligation Bonds): A bill authorizing the sale of State general obligation bonds to finance specified projects or activities, which must be subsequently approved by the voters.

Budget: Suggested allocation of State moneys presented annually by the Governor, for consideration by the Legislature; compiled by the Department of Finance, in conjunction with State department heads.

Budget Act: The Budget bill, after the Governor has signed it into law.

Caucus: (1) A closed meeting of legislators of one's own party; (2) any group of legislators who coalesce formally because of their interest in specific issues.

Chapter: After the Governor has signed a bill, the Secretary of State assigns the bill a "Chapter Number" such as "Chapter 123, Statutes of 1992," which is subsequently used to refer to the measure rather than the bill number.

Chapter Out: When two or more bills, during one year of the session, amend the same section of law and more than one bill becomes law, amendments made by the bill enacted last (and therefore given a later or higher chapter number) becomes law and prevail over the amendments made by the bill or bills previously enacted.

Concurrence: One house approving a bill as amended in the opposite house. If the author is unwilling to move the bill as amended by the other house, the author requests "nonconcurrence" in the bill and asks for the formation of a conference committee.

Conference Committee: Usually composed of three legislators (generally two from the majority party; one from the minority party) from each house who meet in public session to forge one version of similar Senate and Assembly bills. Both Assembly and Senate must approve the final conference committee version. Assembly conferees are chosen by the Speaker; Senate conferees are chosen by the Senate Rules Committee.

APPENDIX C

GLOSSARY OF LEGISLATIVE TERMS

Consent Calendar: File containing bills which have received no dissenting votes and which have received unanimous agreement to pass.

Constitutional Amendment: A resolution changing the language of the State Constitution. It may be presented in bill form, by the Legislature or by initiative, which requires the populace to vote.

Do Pass (as amended): Affirmative recommendation made by a committee, which moves a bill to the floor, or to the next committee.

Double Join: Amendments to a bill which include provisions so that the amended bill does not “chapter out” the provisions of another bill.

Double Refer: Legislation recommended for referral to two policy committees rather than one for hearing. The first committee is not bound by the recommended second referral. Both committees must approve the measure to keep it moving in the process. Bill referrals are made by the Assembly and Senate Rules Committees for their respective houses.

Engrossed Bill: Whenever a bill is amended, the printed form of the bill is proofread to make sure all amendments are inserted properly. After being proofread, the bill is “correctly engrossed” and is therefore in proper form.

Enrollment: When bills are filed with the Governor and resolutions are filed with the Secretary of State once they have been accepted by both houses.

Extraordinary Session: A special legislative session called by the Governor to address only those issues specified in the proclamation. Measures introduced in these sessions are numbered chronologically with a lower case “X” after the number (i.e., AB 28X).

File Number: The number assigned to a measure in the Assembly or Senate Daily File. The file number changes each day as bills move on or off the Daily File. Legislation is taken up on the Assembly or Senate Floor in chronological order according to file number.

First Reading: Each bill introduced must be read three times before final passage. The first reading of a bill occurs when the measure is introduced.

Fiscal Bill: Generally, a measure that contains an appropriation of funds or requires a State agency to spend money for any purpose. The Legislative Counsel determines which bills are fiscal bills. The designation appears at the end of the Legislative Counsel’s Digest found on the first page of each bill. Fiscal bills must be heard by the Assembly and Senate Appropriations Committees in addition to the policy committees in each house.

Fiscal Deadline: The date on the legislative calendar by which all bills with fiscal implications must have been taken up in a policy committee and referred to a fiscal committee. Any fiscal bill missing the deadline is considered “dead” unless it receives a rule waiver.

APPENDIX C

GLOSSARY OF LEGISLATIVE TERMS

Fiscal Year: The twelve month period on which the budget is planned. The State fiscal year begins July 1 and ends June 30 of the following year. The federal fiscal year begins October 1 and ends September 30 of the following year.

Held In Committee: A bill fails to get sufficient votes to pass out of committee.

Hijack: Amendments which delete the contents of a bill and insert entirely new provisions. Can be accomplished with or without the author's permission. Sometimes called "subbing a bill" or "stuffing a bill."

Hopper: Refers to a bill presented for formal introductions and first reading.

Inactive File: The portion of the Daily File containing legislation that is ready for floor consideration, but, for a variety of reasons, is dead or dormant. An author may move a bill to the inactive file and subsequently move it off the inactive file at a later date. During the final weeks of the legislative session, measures may be moved there by the leadership as a method of encouraging authors to take up their bills promptly.

Initiative: A method of legislating that requires a vote of the people instead of a vote of the Legislature for a measure to become law. To qualify for a statewide ballot, statutory initiatives must receive signatures equal to 5 percent, and constitutional amendment initiatives must receive signatures equal to 8 percent, of the voters for all candidates for Governor at the last gubernatorial election.

Joint Committee: Committee composed of equal numbers of Assembly members and Senators.

Joint Resolution: A resolution expressing an opinion about an issue pertaining to the federal government; forwarded to Congress for its information. Requires the approval of both Assembly and Senate but does not require signature of the Governor to take effect.

Majority Vote: A vote of more than half of the legislative body considering a measure. The full Assembly requires a majority vote of 41 and the full Senate requires 21, based on their memberships of 80 and 40 respectively.

May Revision: The updated estimate of revenues and expenditures that replaces the estimates contained in the Governor's budget submitted in January.

On File: A bill on the second or third reading file of the Assembly or Senate Daily File.

Pass on File: Bills are taken up during a Floor Session according to their number in the Assembly or Senate Daily File. An author may choose to "pass on file" thus temporarily giving up his or her chance to take up a measure on the floor.

Put Over: Action delayed on a legislative measure until a future date without jeopardy measure.

Reading: Presentation of a bill before the house by reading the title thereof. A bill is either in first, second, or third reading until it is passed by both houses.

Reconsideration: A motion giving the opportunity to take another vote on the item in question. The motion for reconsideration must be accepted by a majority of the members present and voting.

APPENDIX C

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Resolution: An opinion expressed by one or both houses, which does not have the force of law. Concurrent and joint resolutions are voted on by both houses but do not require the Governor's signature.

Second Reading: Each bill introduced must be read three times before final passage. The second reading occurs after a bill has been reported from committee.

Special Order Of Business: Occasionally a bill is of such importance that advance notice is given about when it will be considered in the full Assembly or Senate. Notice is given during a Floor Session by requesting unanimous consent to set the bill as a special order of business on a specific date and time.

Spot Bill: A bill that amends a code section in such an innocuous way as to be totally nonsubstantive. The bill has been introduced to assure that a germane vehicle will be available at a later date after the deadline has passed to introduce bills. At that future date, the bill can be amended with more substance included.

State Mandate: Chapter 1406, Statutes of 1972, first established the requirement for the State to reimburse units of local government for all costs mandated on them by the State resulting from either legislative acts or administrative regulations which impose a new program or demand an increased level of service in an existing program. Proposition 4 of 1979 (Gann Initiative) incorporated this requirement into Section 6 of Article XIII B of the State Constitution.

Table: To set aside. Typically used to dispense with, or set aside, amendments to a bill rather than vote "aye" or "no" on them. A motion to table is non-debatable and once made, must be voted upon.

Third Reading: Each bill introduced must be read three times before final passage. The third reading occurs when the measure is about to be taken up on the floor of either house for final passage.

Two-Year Bill: A bill that did not pass out of its first policy committee before the constitutional deadline and will be carried over and acted upon when the Legislature reconvenes after the interim recess. If the bill does not pass its policy committee by the second year deadline, it is considered dead.

Unfinished Business: That portion of the Daily File that contains measures awaiting Senate or Assembly concurrence in amendments taken in the other house. Also contains measures vetoed by the Governor for a 60-day period after the veto. The house where the vetoed bill originated has 60 days to attempt to override.

Urgency Measure: A bill affecting the public peace, health, or safety and requiring a 2/3's vote for passage. An urgency bill becomes effective immediately upon enactment. A bill may also have an urgency Clause, which states the bill will take effect immediately upon enactment. A vote on the urgency must precede a vote on the bill. A 2/3's vote is required for passage.

Veto: The act of the Governor disapproving a measure. The Governor's veto may be overridden by 2/3's vote. The Governor can also exercise an Item veto, whereby the amount of the appropriation is reduced or eliminated, while the rest of the bill approved. An Item veto may be overridden by 2/3's vote in each house.

Legislative Calendar

APPENDIX D

2005 LEGISLATIVE CALENDAR

January 1	2004 Statutes take effect (Art. IV. Sec. 8 (c)).
January 3	Legislature reconvenes from Organizational Recess.
January 10	Budget must be submitted by Governor (Art. IV, Sec. 12 (a)).
January 21	Last day to submit bill requests to the Office of Legislative Counsel.
February 18	Last day for bills to be introduced.
March 17	Spring Recess begins upon adjournment.
March 29	Legislature reconvenes from Spring Recess.
April 29	Last day for policy committees to hear and report fiscal bills introduced in their house to Fiscal Committees.
May 6	Last day for policy committees to hear and report non-fiscal bills introduced in their house.
May 20	Last day for policy committees to meet prior to June 6.
May 27	Last day for Fiscal Committees to hear and report bills introduced in their house to the Floor
June 3	Last day for bills to be passed out of the house of origin.
June 6	Committee meetings may resume.
June 15	Budget bill must be passed by midnight (Art. IV, Sec. 12 (c)).
July 8	Last day for policy committees to meet and report bills.
July 15	Summer Recess begins upon adjournment, provided Budget Bill has been enacted.

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- August 15** Legislature reconvenes from Summer Recess.
- August 26** Last day for Fiscal Committees to meet and report bills to Floor.
- August 29 - September 9** Floor session only. No committee may meet for any purpose.
- September 9** Last day for each house to pass bills.
- September 9** Interim recess begins upon adjournment.
- October 9** Last day for Governor to sign or veto bills passed by the Legislature on or before Sept. 9 and in his possession after Sept. 9. (Art. IV, Sec. 10 (b)(l)).

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